

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

JULIUS J. CLARK,)	
)	
Petitioner,)	Civil Action No. 09-640
)	Judge Fischer
v.)	Magistrate Judge Bissoon
)	
DAVID DIGUGLIELMO, <i>et al.</i> ,)	
)	
Respondents.)	

MEMORANDUM ORDER

Julius Clark filed his Petition for Writ of Habeas Corpus on May 22, 2009, and the case was referred to United States Magistrate Judge Cathy Bissoon for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.C and 72.D of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation, filed on August 16, 2010, recommended that the Petition be dismissed and that a certificate of appealability be denied. A copy of the Report and Recommendation was served on Petitioner by First Class United States Mail at his place of incarceration. Clark filed timely objections on August 24, 2010 (Doc. 15).

After de novo review of the pleadings and documents in the case, together with the Report and Recommendation and the objections thereto, the following order is entered:

AND NOW, this 20th day of August, 2010,

IT IS HEREBY ORDERED that the Petition for Writ of Habeas Corpus filed by Julius Clark is DISMISSED, and that a certificate of appealability is DENIED.

IT IS FURTHER ORDERED that Magistrate Judge Bissoon's Report and Recommendation (Doc. 14), dated August 16, 2010, is adopted as the opinion of the court.

s/Nora Barry Fischer
Nora Barry Fischer
United States District Court Judge

cc:
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